

# Revisions to Rules Related to Recycling NR 500 and 502, Wis. Adm. Code

**DNR Publication WA – 426-05**



## **Purpose and Background**

This guidance summarizes revisions to NR 500 and 502, Wis. Adm. Code related to recycling that took effect on July 1, 2005. These revisions clarify the definition of a materials recovery facility and include changes in the requirements for waste haulers, exempt recycling transfer facilities, and exempt recycling processing facilities. Solid waste service providers or recycling facilities potentially impacted by these rule revisions can use this summary, and the specific code language, to evaluate impacts to their operation.

The recycling rules revisions are the result of a six-month stakeholder process during which the Department convened five regional listening sessions and worked closely with the ad hoc Recycling Rule Revisions Workgroup to secure stakeholder input in the process.

## **Summary of revisions**

NR 500.03(140), General Solid Waste Management Requirements –

- The definition of a materials recovery facility was changed to the statutory reference (s.287.27(1), Stats.). Previous code language defined a materials recovery facility as a facility where “two or more” recyclable materials are processed. The statutory definition does not make this distinction. Single commodity materials recovery facilities are now defined by rule (s. NR. 544.03 (39), Wis. Adm. Code), and are conditionally exempted from the self-certification requirements for materials recovery facilities which serve a Responsible Unit.

NR 502.06(2), Collection and Transportation Services - Exemption:

- In order to meet this exemption, several operational requirements have been identified for collection services that handle materials listed in s. 287.07(3) and (4), Stats. See s. NR 502.06(4), Wis. Adm. Code below.

NR 502.06(4), Collection and Transportation Services - General Operational Requirements:

- Previous code language did not clearly identify who had to comply with the landfill bans under Wisconsin’s recycling law. Now, municipal solid waste and recyclable materials collection services are identified. Requirements have been added for all services to provide notification to their clients about state and local recycling laws, and respond to requests from Responsible Units on the amounts of recyclable materials collected.
- Specific guidance related to acceptable procedures for client notification and documentation are described in DNR Publication No. WA-425-05.

NR 502.07(2f), Transfer Facilities - Exempt Recycling Transfer Facilities:

- Waste tire transfer operations have been excluded from this exemption.
- In order to meet this exemption, several operational requirements have been identified for recycling transfer facilities that handle materials listed in s. 287.07(3) and (4), Stats. New, or expansion to existing facilities, also need to meet location criteria for transfer facilities. These operational and location criteria are minimum requirements to assure facilities and their wastes are properly managed.

NR 502.08(2) Solid Waste Processing Facilities - Exemption:

- Waste tire processing operations have been excluded from this exemption.
- The materials recycling facility exemption has been maintained. However, the code now requires they have a valid self-certification or be exempt from certification under s. NR 544.16(2), Wis. Adm. Code.
- The scrap iron, steel or nonferrous metal facility exemption has been maintained. Previous code language regarding other processing facilities that produce materials for sale or recycling has been maintained in a separate exemption.
- Requirements for construction and demolition waste processing facilities have been created in a separate exemption. To meet this exemption, several operational, performance and closure requirements have been identified. New, or expansion to existing facilities, also need to meet location criteria for transfer facilities under s. NR 502.07(3), Wis. Adm. Code. These operational and location criteria are minimum requirements to assure facilities and their wastes are properly managed.

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